



5.21.18

The Honorable Mike Crapo
Chairman
Senate Banking Committee
534 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Sherrod Brown
Ranking Member
Senate Banking Committee
534 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Crapo and Ranking Member Brown,

BSA | The Software Alliance welcomes your committee's bipartisan effort to enact legislation addressing efforts by some countries to acquire technologies and know-how essential to U.S. national security.

We strongly support the substitute amendment that you have introduced to the proposed Foreign Investment Risk Review Modernization Act (FIRRMA). In particular, your amendment would establish a comprehensive and modernized export control process for regulating the flow of emerging and foundational critical technologies abroad.

The U.S. software services industry heavily relies upon foreign joint ventures and licensing arrangements in conducting overseas business activities involving technology. We would welcome the envisaged role for the Commerce Department in identifying such technologies not currently subject to export controls and establishing an interagency process to address them. Export controls are best suited for regulating critical technologies, and would provide greater certainty and efficiency for our industry than transactional review by the Committee on Foreign Investment in the United States (CFIUS) would.

Thank you for considering our views. We look forward to working with you on this important legislation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'C. M. Albright'.

Craig Albright
VP, Legislative Strategy
BSA | The Software Alliance